

### **REMARKS/ARGUMENTS**

Claims 1-9 were pending in this application. According to the December 6, 2004 Office Action, claims 1 and 8-9 were rejected and claims 2-7 were objected to. Applicant has amended claims 1, 2, and 6. Accordingly, claims 1-9 are under consideration. Applicant maintains that the amendments do not introduce any new matter.

#### **Allowable Subject Matter**

Applicant notes with appreciation that the Examiner has indicated that dependent claims 2-7 are allowable if rewritten in independent form including all of the limitations of their respective base claims. In response thereto, Applicant has amended claims 2 and 6 to be independent claims, each including the limitations of previously presented claim 1. Claims 3-5 and 7 continue to depend from these claims.

#### **Rejection of Claims 1, 8, and 9 under 35 U.S.C. §102(b)**

The Examiner rejected previously presented claims 1, 8, and 9 as unpatentable, 35 U.S.C. 102(b), in view of Quilter, U.S. patent 4,321,544, March 23, 1982 (hereinafter Quilter). Specifically, the Examiner indicated that Quilter discloses through Figure 5 the circuit recited by claim 1 and specifically, equated diode 51 of this circuit to the diode of claim 1. The Examiner also indicated that the preamble of claim 1 states an “intended use limitation” with respect to the pulse width modulated integrated circuit recited therein and as such, appeared to disregard all claim limitations regarding this integrated circuit.

In response thereto, Applicant has amended claim 1 to clarify Applicant’s invention. Amended claim 1 now recites in part, a “circuit comprising: a pulse width modulated integrated circuit having a soft-start reset function and a soft-start reset terminal connected thereto; [and] a diode having a first terminal connected to the soft-start reset terminal of the integrated circuit ... [and] having a second terminal coupled to a tap of the voltage divider.”

Significantly, the circuit of Quilter Figure 5 is a power amplifier circuit and Quilter fails to teach or suggest that this circuit, or portions thereof, include a “pulse width modulated integrated circuit having a soft-start reset function and a soft-start reset terminal connected

thereto," as claim 1 now recites. As important, while diode 51 of Quilter Figure 5 has one terminal connected to a tap of a voltage divider, Quilter fails to teach or suggest that the other terminal of diode 51 is connected to a soft start reset terminal of a pulse width modulated integrated circuit. As seen in Figure 5, diode 51 is part of a feedback network with the diode being connected to the output of the power amplifier circuit. Arguably, diode 51 is also connected to diode 52 and to operational amplifier 40 at the amplifier's negative supply voltage input, which input determines the maximum output current from amplifier 40. As seen, none of these connections is a soft start reset terminal of a pulse width modulated integrated circuit. As such, Quilter fails to teach or suggest all limitations of amended claim 1, and similarly, claims 8 and 9, which depend therefrom.

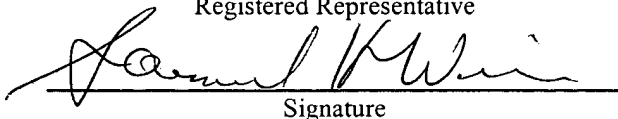
Since Quilter fails to teach or suggest Applicant's invention as now set forth in claims 1, 8, and 9, Applicant submits that these claims are clearly allowable. Favorable reconsideration and allowance of these claims, together with claims 2-7, indicated as allowable, are therefore requested.

Applicant earnestly believes that this application is now in condition to be passed to issue, and such action is also respectfully requested. However, if the Examiner deems it would in any way facilitate the prosecution of this application, he is invited to telephone applicant's counsel at the number given below.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 17, 2005:

Samuel H. Weiner

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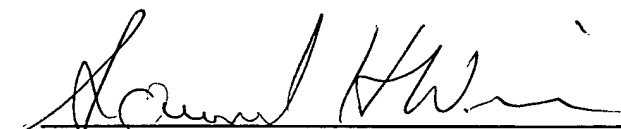


Signature

January 17, 2005

Date of Signature

Respectfully submitted,



Samuel H. Weiner

Registration No.: 18,510

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700

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